

**MINUTES OF THE  
NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT  
INTERIM COMMITTEE**

Wednesday, May 15, 2013 – 2:00 p.m. – Room 30 House Building

**Members Present:**

Sen. Scott K. Jenkins, Senate Chair  
Rep. Michael E. Noel, House Chair  
Sen. Allen M. Christensen  
Sen. Jim Dabakis  
Sen. David P. Hinkins  
Sen. Peter C. Knudson  
Sen. Ralph Okerlund  
Rep. Jerry B. Anderson  
Rep. Roger E. Barrus  
Rep. Melvin R. Brown  
Rep. Jack R. Draxler  
Rep. Susan Duckworth  
Rep. Stephen G. Handy  
Rep. Ken Ivory

Rep. Merrill F. Nelson  
Rep. Douglas V. Sagers  
Rep. R. Curt Webb  
Rep. Larry B. Wiley

**Members Absent:**

Rep. Brad L. Dee  
Rep. John G. Mathis  
Rep. Marie H. Poulson

**Staff Present:**

Mr. J Brian Allred, Policy Analyst  
Ms. RuthAnne Frost, Associate General Counsel  
Ms. Anna M. Allen, Legislative Secretary

Rep. Mike K. McKell

**Note:** A list of others present, a copy of related materials, and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

**1. Committee Business**

Chair Noel called the meeting to order at 2:06 p.m.

**MOTION:** Sen. Jenkins moved to approve the minutes of the November 14, 2012, meeting. The motion passed unanimously with Rep. Brown and Rep. McKell absent for the vote.

**2. Remediation Waste Fees**

Mr. Scott Anderson, Director, Division of Solid and Hazardous Waste, distributed and discussed “Report on Remediation Waste Fees.” He described the collection of remediation waste fees and how the fees fund the division’s waste management programs. He said that the division recommends no changes to remediation waste fees at this time. Mr. Anderson responded to questions from the committee.

**3. Utah’s School Trust Lands — Beneficiary Report**

Ms. Margaret Bird, Director, School Children’s Trust, State Office of Education, presented “A Magnificent Endowment, Utah’s School Trust Lands.” Ms. Bird discussed the management of Utah school trust lands and the historical performance of the permanent State School Fund. Ms. Bird responded to questions from the committee.

Rep. Draxler expressed his appreciation for Ms. Bird’s work on behalf of the state and the state school children.

Mr. Allred discussed the master study items assigned to the committee listed in “2013 Natural Resources, Agriculture, and Environment Interim Committee Interim Studies, Reports, and Reviews.”

#### **4. Water Pollution — Reduction of Nutrient Pollution**

Mr. Walt Baker, Director, Division of Water Quality, presented “Utah’s Approach to Controlling Nutrient Pollution.” He explained that Utah has an increasing nutrient pollution problem caused by excessive phosphorous and nitrogen in the state’s lakes, rivers, streams, and reservoirs. He also discussed how the state can address this issue through proposed regulatory standards and mechanisms to help the agriculture industry and other nonpoint sources reduce nutrient pollution.

Commissioner Leonard Blackham, Department of Agriculture, began a panel discussion about the issue saying that there is a necessity for balance of the nutrients in Utah’s water. He also talked about the classification of water and the importance of abundant agriculture production in Utah.

Mr. Mike Kohler, Dairy Producers of Utah, discussed the role of dairy producers in regulating nutrient pollution. He discussed the need for any solutions to this problem to be practical, voluntary, and sustainable.

Mr. Mark Peterson, Utah Farm Bureau, distributed and discussed “Utah AFO Compliance Assistance Program.” He talked about water quality issues associated with animal feeding operations. He stated that effective partnerships are what make improvements in water quality successful.

Mr. Gordon Yonker, Utah Association of Conservation Districts, discussed the role of conservation districts in fostering communication between land owners and government agencies. He stated that in order for land owners to make changes regarding water quality, the approach must be voluntary and provide an incentive for land owners.

Commissioner Blackham summarized the issue saying that in order to have a successful program, the state needs leadership, purpose, and resources. He also distributed the article “Court refuses to dismiss poultry farmer’s suit against EPA.”

Mr. Leland Myers, Central Davis Sewer District, and member of the Water Quality Board, stated that water quality issues should be based on good science and attainable uses. He encouraged the state to take action regarding nutrient pollution so the Environmental Protection Agency does not have to intervene.

Mr. Cameron Deal, Utah League of Cities and Towns, said that the league wants to ensure that the state completes a proper cost benefit analysis for whatever action it takes regarding nutrient pollution, including the cost of taking no action. He commented that if taxpayers are paying to address the problem of nutrient pollution, taxpayers should also gain something from bearing that cost. Mr. Deal responded to questions from the committee.

#### **5. Other Items/Adjourn**

**MOTION:** Sen. Okerlund moved to adjourn the meeting. The motion passed unanimously with Sen. Christensen, Sen. Dabakis, Sen. Hinkins, Rep. Brown, Rep. Handy, and Rep. Ivory absent for the vote. Rep. Noel adjourned the meeting at 4:38 p.m.